

QuiBids, LLC,)
Plaintiff)
vs.)
1524948 Alberta Ltd.,)
Defendant)

Case No. CIV-10-639-R
February 2012 **TRIAL DOCKET**

SCHEDULING ORDER

Date 4/5/11 Judge DAVID RUSSELL Clerk Nancy Stark

Appearing for Plaintiff Michael McClintock, Tamara Pullin

Appearing for Defendant Tony Rupert, Karl Kronenberger - by phone

Jury Trial Demanded X Non-Jury Trial _____

THE FOLLOWING DEADLINES ARE SET BY THE COURT

1. Motions to join additional parties to be filed by _____.

2. Motions to amend pleadings to be filed:
within 60 days.

3. (a) Plaintiff to file a final list of expert witness(es) in chief and submit expert reports to defendant by 11-01-11.*

(b) Defendant to file a final list of expert witness(es) in chief and submit expert reports to plaintiff by 14 days thereafter.*

4. (a) Plaintiff to file a final list of witnesses, together with addresses and brief summary of expected testimony where a witness has not already been deposed by 11-15-11.*

(b) Defendant to file a final list of witnesses (as described above) 14 days thereafter.*

5. Plaintiff to file a final exhibit list by:
11-15-11.* Defendant to file objections to Plaintiff's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by _____
14 days thereafter.

Defendant to file a final exhibit list by 11-29-11.* Plaintiff to file objections to Defendant's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by 14 days thereafter.

***The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to**

testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.

6. Discovery to be completed by 01-02-12.

7. All dispositive and *Daubert* motions to be filed by 12-01-11.

If the deadline for dispositive motions and *Daubert* motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.

8. Trial docket February 2012 **

****Trial dockets generally begin the second Monday of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.**

The interval between the dispositive motion deadline (¶ 7) and the trial docket (¶ 8) is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.

9. Designations of deposition testimony to be used at trial to be filed by 02-01-12. Objections and counter-designations to be filed by 02-06-12.

10. Motions in limine to be filed by 02-01-12
11. Requested voir dire to be filed by 02-01-12
_____.
12. Trial briefs (optional unless otherwise ordered) to be filed by 02-01-12.
13. Requested jury instructions to be filed on or before 02-01-12.***
14. NON-JURY CASES ONLY: Proposed findings and conclusions of law to be filed no later than _____.
15. Any objection or responses to the trial submissions referenced in 10, 11, 12, 13, or 14 to be filed within five (5) days thereafter.
16. Proposed final pretrial report, approved by all counsel, **and in full compliance** with Local Rules (see Appendix IV), together with a proposed order approving the report, to be submitted to the Court by 02-01-12.

*****In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in WordPerfect format to the Clerk via the Court's designated mail box: russell-orders@okwd.uscourts.gov**

17. This case is referred to the following Court-sponsored ADR/settlement process or special trial track:

___ by agreement of the parties, with the approval of the Court:
___ by Order of the Court:

___ Mediation
___ Judicial Settlement Conference
___ Other _____

If the case is referred to mediation or some other form of private ADR, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, not later than _____.

18. Except as may be otherwise specifically ordered by the assigned judge, this case will not be scheduled for a judicial settlement conference unless, within ten calendar days after the trial docket is published, the parties file a joint motion requesting a judicial settlement conference. The motion shall provide reasons justifying the commitment of court resources to the settlement process, and shall describe the reasons for which efforts to settle the case by other means have been unsuccessful.
19. _____ The parties consent to trial by a Magistrate Judge.
20. Initial disclosure pursuant to Fed. R. Civ. P. 26 has been made _____; is excused _____; or shall be made no later than _____.
21. Other: _____

BY ORDER OF THE COURT
ROBERT D. DENNIS, CLERK

By s/Nancy Stark
Deputy Clerk